

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

RICHARD DOSTIS,

Plaintiff,

v.

9:06-CV-1091
(FJS/DEP)

Officer MATTHEW, et al.,

Defendants.

APPEARANCES:

OF COUNSEL:

FOR PLAINTIFF:

Richard Dostis, *Pro se*

FOR DEFENDANTS:

MILLER LAW FIRM
6575 Kirkville Rd.
East Syracuse, NY 13057

FRANK W. MILLER, ESQ.

FREDERICK J. SCULLIN, S.D.J.:

DECISION AND ORDER

Presently before the Court is Magistrate Judge David E. Peebles' July 2, 2008 Report-Recommendation in which he recommends that defendants' motion for summary judgment dismissing plaintiff's complaint be granted and that plaintiff's complaint be dismissed in all respects. The Court having reviewed the Report-Recommendation and the entire file in this matter and no objections to said Report-Recommendation having been filed hereby

ORDERS that the Report-Recommendation filed by Magistrate Judge David E. Peebles

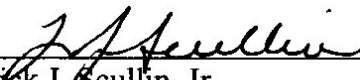
on July 2, 2008 is, for the reasons stated therein, accepted in its entirety; and the Court further

ORDERS that defendants' motion for summary judgment dismissing plaintiff's complaint is **GRANTED** and that plaintiff's complaint is **DISMISSED** in all respects, and the Court further

ORDERS that the Clerk of the Court shall enter judgment in favor of the defendants and close this case.

IT IS SO ORDERED.

Dated: August 4, 2008
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge